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Held at Headquarters, New York, on Monday, 24 March 2008, at 3 p.m.

Chairperson: Mr. Rivas Posada

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Third periodic report of Panama (CCPR/C/PAN/3, CCPR/C/PAN/Q/3 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Panama took places at the Committee table.*

2. **Mr. Castillero Correa** (Panama) said that Panama was a party to six of the seven most relevant United Nations human rights instruments. The workshop on institutional awareness-raising and the drafting of reports for treaty bodies, held from 31 July to 4 August 2006 and sponsored by the Office of the United Nations High Commissioner for Human Rights (OHCHR), had led to the establishment of an inter-agency committee, coordinated by the Ministry of Foreign Affairs, that was responsible for submission of the State's reports to human rights treaty bodies. In submitting its third report to the Committee, his delegation paid tribute to the work of the Ombudsman's Office and, in particular, its work with organizations of civil society. Despite the difficulties that his Government faced, it was taking steps towards the goals of sustainable development and an economy that focused not only on the market, but also on human beings.

3. His Government had supported the adoption of the Inter-American Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Indigenous Peoples and had decided to take time to consider whether any of its population groups were being left behind during the development process. In an effort to combat the poverty in which 98 per cent of its indigenous population lived, it was implementing a literacy programme in which 15,000 indigenous people were enrolled and a social protection programme, the Opportunities Network, from which 24,085 indigenous families were benefiting. Under that programme, 15,000 people had received training in food production, the rights of citizens and the organization of community initiatives. Steps were being taken to ensure the continuity of those initiatives under future governments. His Government also recognized that the Afro-descendant population had played a role in the country's history and was a source of inspiration to many patriotic Panamanians.

4. Panama had ratified the United Nations and Organization of American States (OAS) instruments on the rights of persons with disabilities and had established that discrimination against people with any type of disability was an affront to the dignity and value inherent in human beings. The Government had made education for all a priority and had trained over 10,000 teachers in that approach. The number of distance learning centres had more than tripled over the past five years; school infrastructure was being upgraded; and the intercultural bilingual education programme, which benefited the indigenous population, was being expanded. In order to eliminate child labour and help families living in extreme poverty, 43,700 new scholarships had been granted in 2007 and prizes were awarded for both talent and effort. The Government expected to have eliminated illiteracy, which currently affected 7 per cent of the population, by the end of 2009.

5. Through the Opportunities Network, the Government had achieved almost universal free health care for children under five and for pregnant mothers, thereby reducing the maternal and child mortality rate and helping to prevent cerebral palsy and other disabilities in its children. Cervical cancer was one of the primary causes of death among the nation's women; 500,000 pap smears had been administered at no cost during a national campaign. Panama had been a pioneer in introducing the rotavirus and hepatitis vaccines; dengue fever, child diarrhoea, tuberculosis, malaria, influenza, hepatitis A and meningitis were under control; and the country's AIDS prevention programmes focused on women, who had a higher rate of infection than men. Through the "Operation Miracle" programme, implemented in cooperation with partner countries, 11,300 ophthalmic surgeries had been performed. Breast cancer prevention programmes and free dental care, including dentures, were available and hospitals and health centres were being updated, remodelled or built. The number of beneficiaries of the child nutrition programme had risen from 40,000 in 2004 to 62,000 in 2007, the supply of drinking water had been extended in urban areas and new aqueducts had been built in rural areas, and housing projects were being pursued nationwide, including in indigenous communities.

6. Women made up half the nation's population and the Government recognized that they were an essential part of Panama's future. It had developed a comprehensive, coordinated policy that included programmes benefiting women and indicators for measuring results. In order to help them launch small and micro-enterprises, women were granted 38 per cent of microcredit loans. The Ministry of Social Development had set up networks of local-level protection units for women victims of domestic violence; to date, 1,056 women had had recourse to them. Because the Government considered that domestic violence and child abuse were problems that concerned society as a whole, it had involved civil society in prevention and treatment initiatives and had undertaken to ensure respect for the rights of Panamanian women and children.

7. Much remained to be done in the area of security. Drug trafficking and related crime were the primary obstacles to be overcome, and citizen participation was essential in combating them. In order to strengthen the rule of law, prison reform was needed; construction of five new modules in existing prisons would help alleviate overcrowding and the prison master plan had been submitted to the President of the Republic on 17 March 2008. The plan would bring the existing prison infrastructure into line with international standards and with Act No. 55/2003 at a cost of Bs 60 million. Prevention and re-education initiatives would also be launched. Trained guards, lawyers, social workers and doctors were being appointed to work in current and future prisons and the Prison Training Academy was training prison staff in human rights, the law and modern working procedures; Act No. 55/2003 also called for replacing the National Police officers currently assigned to the nation's prisons.

8. A review of the justice system had been launched in 2005. The 1982 Criminal Code had been modified through the adoption of Act No. 14 of 18 May 2007; the amended Code, which would enter into force on 22 May 2008, established new crimes that reflected changes in society and international standards. An ongoing reform of the Code of Criminal Procedure would introduce an accusatory system that would ensure respect for the rights of accused persons under a transparent, impartial, effective and expeditious legal system.

9. After consulting with all relevant parties, the State Justice Commission had recommended that the Executive branch should adopt a State criminological policy with clearly defined principles and strategies in order to arrive at a useful instrument for the development of public policy in the area of crime prevention and punishment.

10. The Government had adopted the Commission's recommendations and had appointed a Technical Committee, which was responsible for collecting proposals for the new codes, and a Codification Committee, which functioned in accordance with the highest standards and principles in the areas of prevention, public safety, human rights, social justice, sustainable human development, citizen participation and education in the culture of peace.

11. In February 2008, the President had approved a law that would regulate and streamline the work of the courts through the use of modern technology; a new electronic court records system would be accessible via the Internet. During the previous three years, the Government had modernized the governance system and increased its transparency through three initiatives: PanamáCompra, PanamáEmprende and PanamáTramita. The rule of law had also been strengthened in the areas of maritime and trade law.

12. Decree-Law No. 3 of 22 February 2008, establishing the National Migration Service, would come into force in August 2008. Four new categories of immigrants would be established under the law: non-residents, temporary residents, permanent residents and temporary humanitarian protection status, which was also governed by Decree No. 23 of 10 February 1998 and was granted to groups of people who were forcibly displaced into Panamanian territory and were not covered by the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Under certain circumstances, refugee status could be granted retroactively to such persons.

13. Decree-Law No. 3 had amended Panama's immigration legislation in order to prevent the entry of individuals with a criminal history; however, it could not justify violation of any of the human rights enshrined in the Constitution. That very day — 24 March 2008 — the National Assembly, pursuant to an agreement between the Government and the Office of the United Nations High Commissioner for Refugees (UNHCR), would adopt legislation

granting the option of permanent resident status to any refugee who had lived in Panama for more than 10 years.

14. The Electoral Tribunal, which had achieved international recognition for its work, was responsible for organizing elections and ensuring their freedom, integrity and efficiency. It also maintained the civil registry and issued identity documents.

15. The indigenous communities in Darién province had the highest percentage of unregistered children. Through the Opportunities Network, those children had been issued identity documents and parents had been made aware of the need to register all births so that their children could benefit from government programmes.

16. The current Government guaranteed the right to peaceful protest and freedom of movement and believed that freedom of information was the best antidote to corruption. On assuming power, one of its first acts had been to repeal the decree which, under the pretext of regulating the Transparency Act, had in fact nullified it. The Government's finances, including their discretionary component, were now public and were posted quarterly on the web page of the Office of the President. Act No. 22 of 29 June 2005 had repealed the so-called "contempt laws", which had been used to restrict the freedom of expression of the media and other members of civil society.

17. Following the National Consultations for Development that had concluded on 6 November 2007, an Act establishing the National Consultative Council had been enacted on 25 February 2008. The Council would allow the Government and civil society to work together in areas related to the nation's development; 13 billion dollars in income from the Panama Canal would be allocated to social spending by 2025.

18. Lastly, the United Nations High Commissioner for Human Rights had visited the country in February 2007 and the regional OHCHR Office for Latin America and the Caribbean had been transferred to Panama City.

19. **Mr. Gómez** (Panama), referring to the incorporation of the Covenant into the domestic legal system, said that a number of the rights contained in these were enshrined in the Constitution and the Criminal Code, including, inter alia, the principle of non-discrimination (article 19); the right to life (article 6); prohibition of the death penalty (article 30); the right to freedom of movement (article 27) and the right to freedom of thought, conscience and religion (articles 35 and 37). Some of the rights secured under the Covenant were also guaranteed under the Criminal Code, including article 311 concerning crimes of genocide. Furthermore, the right to freedom and security of person established in article 9 of the Covenant was covered by articles 21 to 23 of the Constitution and article 151 of the Criminal Code.

20. **Ms. Rodríguez** (Panama), referring to question 2, said that while quantitative information on resources devoted to ensuring that women's salaries were brought into line with men's was not available, comparative analysis of the wage gap between men and women in the public sector had already begun and the National Directorate for Women planned to conduct, during the course of 2008, a survey on time use in paid and unpaid work. An Executive Decree establishing that men and women had the right to the same minimum wage had come into force in December 2007.

21. **Mr. Gómez** (Panama) said, in reply to question 3, that neither the current nor the new Criminal Code contained a provision requiring rape victims to be "chaste and virtuous".

22. Addressing a question about the Truth Commission, he noted that it had registered 207 cases, 110 of which had been confirmed through extensive investigations. However, since the cases dated back many years, it was often difficult to establish sufficient evidence. The Truth Commission was no longer in operation; however, its activities had been taken over by a special investigations agency under the Public Ministry.

23. **Ms. Rodríguez** (Panama) said, with regard to the question on abortion, that article 144 of the Criminal Code established that penalties applicable in abortion cases would not apply if the pregnancy was a result of rape or if the life of the mother or the product of conception was endangered. The serious health grounds must be determined by a multidisciplinary committee appointed by the Ministry of Health for that purpose. The aforementioned exceptions would continue to exist under the new Criminal Code, which would enter into force in May 2008.

24. **Mr. Guerrero** (Panama), turning to prison overcrowding and prison conditions in general, said that the Government had undertaken a number of

measures to address prison overcrowding, including reducing sentences to community labour, conditional release, the voluntary repatriation of foreign convicts to their countries of origin and house arrest. It was not true that conjugal visits were prohibited for female prisoners; women generally did not receive such visits for economic reasons. Approximately 150 out of the current 300 female detainees had permission to go home on weekends and some had permission to work. A master plan for more modern prison facilities had been developed and would be implemented at the La Joya complex. The problem of unsanitary drinking water at the La Joya and La Joyita facilities had been resolved.

25. Turning to question 7, he said that the torture of detainees was not a State policy. Individuals who committed acts of torture or other cruel treatment were punished and prosecuted in accordance with the law. The Government placed emphasis on preventive measures such as educating the police and all penitentiary staff about human rights.

26. **Mr. Sandoval** (Panama) pointed out that, in compliance with a request from civil society organizations, the penitentiary system was being monitored by the Inter-American system. In fact, the Inter-American Commission on Human Rights had called on Panama to participate in thematic hearings on persons deprived of freedom.

27. **Mr. Gómez** (Panama), referring to question 8, said that the maximum duration of pretrial detention was determined by the minimum penalty established for a particular offence. No person could be deprived of freedom except on the written order of a competent authority and no person could be detained for more than 24 hours without such detention having been ordered by the competent authorities. The first pilot plan involving the use of electronic monitoring bracelets had run for three months in 2005. A second pilot plan, which was tested on 100 persons in 2006, had also proved successful.

28. **Mr. Caballero** (Panama), turning to question 9, said that the Colombian nationals living in Darién province did not qualify for refugee status. However, they were protected under the "Temporary Humanitarian Protection Statute" set out in Executive Decree No. 23. The Decree was considered a valid and useful legal instrument for dealing with massive flows of people entering the country illegally or in an irregular manner in search of protection and would not be revised. Some of the Colombian nationals in Darién province had been repatriated voluntarily, with the agreement of the Colombian Government.

29. **Mr. Gómez** (Panama) said, in reply to question 10, that the Government was striving to make criminal justice more accessible. Training in human rights and criminal law and procedure was being offered to community leaders and corrections staff outside the province of Panama. Two legal mediation centres had been set up to handle complaints and 15 new public defenders had been appointed. The new Criminal Code would enter into force in May 2008 and a reform of the Code of Criminal Procedure was being advocated.

30. **Ms. Rodríguez** (Panama), referring to question 11, said that 10,557 live births had been registered in indigenous zones in 2007. Because of the lack of maternity facilities in Panama, indigenous women living along the border with Costa Rica often crossed over to give birth in San Vito. The Ministry of Foreign Affairs had appointed a vice-consul in San Vito to register such births. In March 2006, the Government had also established a health centre with maternity services in the community of Río Sereno, close to the Costa Rican border.

31. **Mr. Sandoval** (Panama), responding to question 12, said that his Government was willing to identify and repeal provisions that were incompatible with the Covenant. However, it had no intention of repealing article 12, as the domestic mechanisms for constitutional reform had not found it to be in contravention of Panamanian law, nor of the Covenant.

32. **Mr. Troya** (Panama), referring to question 13, said that the National Police was responsible for assisting the Panamanian authorities in ensuring that citizens and foreign nationals under Panamanian jurisdiction exercised their rights and responsibilities, strictly in accordance with the Constitution and the law. Police officers were not subject to any discriminatory restrictions that prevented them from performing their duties, and the evaluation and hiring process was as objective and transparent as possible. With regard to homosexual practices, members of the National Police force were completely free to meet whomever they wished and to engage in any activities they wished during their leisure time, with the exception of political gatherings and activities. However, they could vote. The sexual orientation of

individual officers was not called into question as long as it did not hinder the performance of their security duties. Nevertheless, the institution did require its officials to abide by the prescribed code of conduct and its regulations. The National Police had never applied the provisions of articles 132 and 133, paragraphs 11 and 12, of Executive Decree No. 204 of 3 September 1997 to any of its officers for the practice of homosexual acts. The police force did not scrutinize homosexual acts by its members; rather it examined the overall conduct of any member when such conduct was at variance with the institution's internal regulations as per the Constitution and the law, should said conduct endanger those under that member's responsibility. Members were also guaranteed due and transparent process and free legal assistance with regard to any offences committed in the line of duty. Furthermore, any officers who felt that their rights, dignity or legal guarantees enshrined in the Constitution and the law had been violated, could file a formal complaint with any relevant authority, including with any of the police administrative bodies that dealt with complaints relating to moral misdemeanours. All civil servants were required to fully discharge their Constitutional and legal responsibilities, and any discriminatory practice that harmed human dignity was strictly forbidden, as civil servants were required to enforce the law and lead by example.

33. **Mr. Pérez Sánchez-Cerro**, noting that the Panamanian Supreme Court had ruled that international treaties were not part of constitutional law, underscored the need to incorporate all such instruments into domestic law so that they could be applied. He wondered how often the courts in Panama had invoked the Covenant and whether all its provisions could be invoked directly in individual cases; how the courts would deal with a conflict between the Covenant and a domestic law; whether a subsequent law could suspend the application of the Covenant; and what Panama had done to familiarize not only the people but especially its judicial and administrative authorities with the Covenant.

34. Various studies and reports indicated that the right of prisoners to be treated humanely and with dignity — guaranteed under a whole body of United Nations texts and international treaties to which Panama was no doubt a party — were not being protected in the country, which maintained an unjust, squalid prison system where prisoners were subjected to physical and psychological abuse. Perhaps one of the problems was a lack of funds, but the delegation should explain how the State was planning to remedy the situation.

35. The International Labour Organization (ILO) had documented cases in which contracts of pregnant women had not been renewed; but although the administrative authorities at all levels were empowered by law to punish and even arrest such employers, nothing was being done to enforce the rights of such women. Also, he asked for comment on reports that Panama was not enforcing the right of workers — under both article 22 of the Covenant and ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize — to form labour unions and to go on strike.

36. In view of reports that Panama practiced *refoulement* and collective expulsions of refugees, he would like to know what protections were available to refugees who had been in Panama for less than 10 years. There was hope of the adoption of legislation authorizing refugees who had been in the country over 10 years to become residents.

37. He suggested that perhaps ILO could assist the Government to overcome any obstacles to its adoption of ILO Convention No. 169 on Indigenous and Tribal Peoples, which would afford needed protections. He asked the delegation to comment on the reported escalation of police harassment and arbitrary detentions of indigenous and rural workers employed by foreign transnational enterprises and to clarify if there was any plan to give indigenous people property rights to their ancestral lands.

38. **Sir Nigel Rodley** asked whether the human rights abuses identified by the Truth Commission had led to any prosecutions or convictions and what the sentences had been. Apparently most such cases had been time-barred, and he wondered how the Government planned to address that issue so that it would not serve as an excuse for impunity. He also would like to know the reasons behind the unanimous adoption by the legislature of a bill to extend the functioning of the Truth Commission, and why it had been vetoed by the executive.

39. He had been pleased to learn the grounds on which abortion might not be a crime under new legislation, but considered that the two months allowed for an abortion after rape was a very short time to deal

with the bureaucracy involved in getting such abortions authorized, and wondered why that period had been determined. Also, while conscientious objection to abortion by a doctor was perfectly permissible, that should not be used as a means to prevent abortion, and the Government must, especially under the two-months rule, ensure immediate referral to some other doctor who would perform the abortion.

40. It would not be easy for the Government to do away with the overcrowded prison conditions in the country: that would require a very targeted approach at the level of the prison population as a whole, which was the second highest in the entire Central American region. It would be useful to know how far the Government had come in replacing the inhumane conditions in its prisons and providing new plant capacity for the enormous numbers of prisoners. He wondered if there was any way to stop the justice system from churning out untenable numbers of prisoners, and perhaps even finding a way to sanction the prison administration itself for imposing injustice of such a dimension.

41. The delegation should provide statistics on the nature and number of complaints received regarding police torture of prisoners as compared to the nature and number of prosecutions and sentences. The delegation maintained that such abuses were isolated events, but the Harvard Law Clinic study of conditions in Panama's prisons — an investigation that the Government was to be commended for allowing — did not permit such a conclusion.

42. The whole process by which a prisoner was held in police custody and then in pretrial detention needed clarification, both as to the time periods involved and the authority under which investigations were conducted. There were reports that the rights of access to a lawyer within 24 hours and of rapid access to habeas corpus were not being respected in practice and even that some prisoners might not have access to a genuine legal defence at all. He asked when the projected reform of the administration of justice would be likely to reduce the backlog and allow the system to deal with the caseload in an effective way.

43. **Mr. Johnson López** said that interesting information had been given on the registration of births in the indigenous regions through the National Civil Status Registry, but nothing had been said about the registration of marriages, divorces or deaths. He also wondered if there were any official statistics on the nationality of the foreigners who applied most frequently for naturalization, and that of those whose applications for naturalized citizenship were most often denied.

44. Overall, the State party must be commended for its serious endeavour in the past 17 years to improve the human rights of its citizens, and especially for the series of new laws and regulations spanning so many different areas.

45. **Ms. Chanet**, concurring with Sir Nigel on the serious overcrowding in the prisons, asked what progress had been made in actually adopting the interesting proposals for alternatives to serving prison sentences and to pretrial detention. Other than the wearing of an electronic bracelet in certain limited instances, there seemed to be no general system for obviating pretrial detention. Panama might consider resorting more frequently to the alternative of releasing a prisoner on bail whenever doing so posed no particular risk and would not prejudice the gathering of evidence. Also, since the statutory time periods for holding prisoners before they were brought to trial were not always observed, she wondered what the penalty was for an overlong pretrial detention, and if a trial could be overturned on that ground.

46. Very interesting information had been given on the reform of the Criminal Code and the Code of Criminal Procedure, but she would like to know more about the actual structure of the judicial system itself — the organization of the courts, the appointment of judges and the qualifications for appointment, the sanctioning of judges and the like.

47. It was not clear if torture as such was punishable by law and if any evidence gathered through torture was automatically inadmissible.

48. She had been surprised by the contention of the member of the delegation replying to question 12 that his Government did not consider the provisions of article 12 of the Constitution to be a problem. Certainly, there was no inherent right to naturalization per se, but once the Constitution granted that right, it should not do so in a discriminatory way by excluding the mentally handicapped, whose rights were clearly protected by articles 2 and 26 of the Covenant.

49. **Mr. Amor** welcomed the delegation's detailed response. He wondered whether there was an

independent body to investigate and ensure prosecution of abuses committed by police and guards in Panama. He also wished to know whether there was an obligation to register births, and if so, whether there were penalties for failing to do so. In the absence of penalties, what measures were in place to ensure that those who had not been registered were not adversely affected?

50. Noting that in carrying out its work, the Truth Commission had faced many obstacles giving the impression that it had not completed its task, he wondered whether the delegation could shed more light on the matter.

51. On abortion, he wondered what the current grounds were for banning abortion and whether banning abortion interfered in a woman's private life and violated her right to make decisions regarding her body. The current trend was to allow pregnant women to deal with unwanted pregnancies as they saw fit. His practical question concerned an issue that was as important in Panama, as it was in the region and beyond.

The meeting was suspended at 5.25 p.m. and resumed at 5.40 p.m.

52. **Mr. Castillero Correa** (Panama) welcomed the Committee's interest and questions and said that his Government needed guidance and cooperation from the Committee. Unfortunately, his delegation would not be able to answer all the questions, but would submit written replies to unanswered questions by the end of the week.

53. **Mr. Gómez** (Panama) said that article 4 of the Constitution recognized international agreements adopted by Panama. Indeed, with the exception of article 8 of the American Convention on Human Rights, which guaranteed the right to a fair trial international agreements did not have constitutional rank. Article 8 was used as a legal basis for determining the constitutionality of legislative acts. The fundamental guarantees contained in the Constitution reflected those found in the Covenant, including recourse to protective measures, such as the remedy of amparo. The preamble to the Constitution stipulated that freedom, democracy, institutional stability and dignity were to be guaranteed, and those protections must be taken into consideration in resolving any dispute, legal controversy or interpretation of a constitutional norm. While Panama still faced the challenge of incorporating those guarantees that did not yet have a constitutional rank, institutions such as the Public Ministry were responsible for disseminating information on international norms among lawyers, law enforcement officials and prosecutors in order to ensure full compliance with the international conventions to which Panama is a party.

54. **Mr. Tuñón** (Panama) said that, a few years earlier, Panama's courts had begun to directly invoke international covenants directly. For example, two municipal court decisions had invoked the Convention on the Rights of the Child and the American Convention on Human Rights; he would provide copies of both decisions to the Committee.

55. **Ms. Rodríguez** (Panama) explained that article 144 of the Penal Code only authorized abortions in the event of serious illness or risk to the pregnant woman, or in the event of pregnancy as a result of rape. In the latter case, the multidisciplinary committee's authorization was not required, but the Public Ministry was the relevant authority that had to be informed in order to initiate an investigation. The two-month deadline for therapeutic abortions stemmed from the fact that the foetus was considered to be fully formed by the third month, and the Family Code provided for the protection of all minors, including foetuses. Panama was a Catholic country, and the legislation was in keeping with its moral principles and social beliefs. However, a March 2008 amendment to the Penal Code prohibited doctor refusal to perform an authorized abortion on moral, religious, or any other grounds; that indicated part of the ongoing process being made on the issue.

56. **Mr. Guerrero** (Panama) said that the work being done by non-governmental organizations and the Ombudsman on prison overcrowding, allowed the authorities to evaluate the issue more clearly. Indeed, recent reports had shone a harsh spotlight on issues such as the poor quality of drinking water, prisoners' health problems, severe overcrowding and the lack of rehabilitation programmes, which could not be solved overnight.

57. Short-term measures to address penitentiary problems included a budget increase to improve food quality and increase the number of doctors, social workers and other technical staff. Improvements to existing prisons were also envisaged. The master plan

for penitentiary systems, a medium-term programme, would phase out existing prisons and replace them with newer units that met international standards.

58. The transfer of the prison population to new prison units would begin by early 2009. Moreover, the appointment of medical staff, including psychologists, as well as of social workers would enhance the ability to apply an interdisciplinary approach to rehabilitation and treatment programmes for convicts. The number of psychologists at the national level had increased from 5 in 2007 to 17 in 2008; there were plans to hire more. Pursuant to the implementation of Act No. 28/2005, sentences could be replaced by periods of employment or study. The evaluation work of the technical team had also made it possible for more prisoners to be granted permission to work and study outside prison facilities. Some prisoners were also allowed to go home on weekends and holidays.

59. The justice administration authorities were taking long-term measures that would prevent incarceration as the first option in the penal procedure. Panama was moving from an inquisitorial system to an accusatorial system, under which would mean fewer custodial sentences, since only those who had already been sentenced would be incarcerated. That was the cornerstone of the penitentiary system's rehabilitation and social reintegration and reinsertion methods. The electronic bracelet pilot project had also achieved some success allowing detainees to return home.

60. While some instances of abuse and torture might occur, torture was not an official penitentiary administrative policy. The perpetrators acted on their own initiative. Once any cases were identified, thanks to the work of bodies such as the office of the Ombudsman, those involved in the situation were immediately brought to the attention of the judicial authorities, who subsequently launched investigations, any appropriate prosecution, and punished those who were found guilty.

The meeting rose at 6.03 p.m.